

CALIFORNIA HIGH-SPEED RAIL AUTHORITY
MEETING MINUTES
May 27, 2003
IRVINE, CALIFORNIA

The meeting of the California High-Speed Rail Authority was called to order on May 27 at 9:00 a.m. at the Irvine City Hall, Council Chambers, Irvine.

Members Present: Rod Diridon, Sr., Chairperson
 Jerry Epstein, Vice Chairperson
 Fran Florez, Vice Chairperson
 Dr. Ernest A. Bates
 Bob Giroux
 Joseph E. Petrillo
 T.J. Stapleton

Members Absent: Leland Wong

Approval of Minutes for February 25, 2003 Meeting

Chairperson Diridon presented the minutes for approval. Member Giroux moved to approve the February 25, 2003 meeting minutes. Vice Chairperson Florez seconded the motion, which carried 5-0.

Authority Members' Meetings for Compensation

Chairperson Diridon presented the list of meetings for compensation for approval. The list of meetings for compensation was approved by consent, 5-0.

Members Reports

Chairperson Diridon reported that he and Authority staff attended the HSGTA Annual Conference May 12-15, 2003 that was held in Orange, CA.

Los Angeles Union Station (LAUS) Design Options

Deputy Director Carrie Pourvahidi introduced Sylvia Salenius, Project Manager of P+D Consultants. Ms. Salenius presented an overview of design options currently under investigation for LAUS and the interaction of these options with existing and proposed future operations at LAUS. A copy of this presentation is available upon request.

Member Bates and Member Stapleton entered the meeting at 9:35 a.m.

Approval of the Revised Los Angeles-Orange County-San Diego (LOSSAN) Screening Recommendations Report

Executive Director Mehdi Morshed gave an overview of the LOSSAN screening recommendations report and introduced Deputy Director Dan Leavitt. Deputy Director Leavitt presented a summary of public comments on the draft report and revisions made to the report.

Public Comment

Pam Slater, San Diego County Supervisor

Supervisor Slater expressed support for the staff recommendations of Del Mar and Encinitas.

Stephanie Dorey, Mayor San Clemente

Mayor Dorey expressed her support for the elimination of the coastal double-track route; staff recommendations for the City of San Juan Capistrano, the long-split tunnel alternative proposed to serve Dana Point and San Clemente communities. She expressed support of the removal of short tunnel I-5. Mayor Dorey read a statement from Toni Eisman, California Coastal Commission Member and Mayor of the City of Laguna Beach stating that Mayor Eisman is in favor of the removal of coastal alignment, and prefers the long-split tunnel. Mayor Dorey submitted letters from the Orange County Association of Realtors for the record.

Susan Ritschel, Mayor Pro Tem, San Clemente

Mayor Pro Tem Ritschel expressed support for the LOSSAN screening recommendations. Ms. Ritschel expressed concern with the short-tunnel alternative, asking the Board to consider eliminating it today.

John Gelff, Mayor, City of San Juan Capistrano

Mayor Gelff expressed support for the LOSSAN screening recommendations.

Joe Kellejian, San Diego Association Council of Governments

Mr. Kellejian expressed support for the LOSSAN screening recommendations.

Wayne Rayfield, City of Dana Point Councilmember

Councilmember Rayfield expressed support for the long-split tunnel alternative. He expressed concern with the short-tunnel alternative and asked the Board to eliminate it today.

Doug Chotkevys, City Manager of Dana Point

Mr. Chotkevys expressed support for the LOSSAN screening recommendations. Ms. Ritschel expressed concern with the short-tunnel alternative, asking the Board to consider eliminating it today.

John Dorey, Derail the Rail

Mr. Dorey expressed support for the long-split tunnel alternative. He expressed concern with the short-tunnel alternative and asked the Board to eliminate it. He also presented 500 postcards supporting the Trabuco Creek alignment in San Juan Capistrano and the long-split tunnel.

Cassie Deyoung, Laguna Niguel City Councilmember & OCTA

Ms. Deyoung expressed support for the LOSSAN screening recommendations.

David Druker, City of Del Mar

Mr. Druker expressed support for the LOSSAN screening recommendations and the removal of the tracks on the bluff and the Camino Del Mar Tunnel Option 2. He expressed support for the EIR/EIS process for the tunnel under Camino Del Mar Option 1 and the Penasquitos Lagoon Bypass. He also submitted a letter from Hershell Price, former Chairman of the Track Railroad Advisory Committee of Del Mar.

Jim Johnson, MT#1 Marblead

Mr. Johnson explained that Marblead is a 250-acre property bounded by I-5, Pico and El Camino Real. Development of the property has been approved for 313 single-family houses and 675,000 commercial land. He stated that staff never contacted him regarding design options impacting his property, and the

short tunnel would devastate the Marblehead development project. Mr. Johnson expressed opposition to the short-tunnel alternative.

David Gruff

Mr. Gruff expressed support for the LOSSAN screening recommendations with one exception. He would like to see further consideration given to lowering the tracks below grade through downtown Cardiff.

Wendy Morris

Ms. Morris expressed support for the LOSSAN screening recommendations and the long-split tunnel alternative.

Mark Casineau, Surfrider

Mr. Casineau expressed support for the LOSSAN screening recommendations.

Richard Gardner

Mr. Gardner stated he feels that the purpose of the proposed modifications to the existing tracks on the beach is not clear. He expressed his support for an inland route through Callega, Mission Viejo and Ladera.

Executive Director Mehdi Morshed asked Deputy Director Leavitt to address Mr. Gruff's question about rails on the bluff being lowered. Deputy Director Leavitt explained that this is part of the long-trench option in Encinitas which staff recommends be eliminated from further investigation in the LOSSAN Screening Recommendations Report. The long-trench concept is not considered a practicable option because of high costs and construction issues.

Executive Director Morshed, in response to the public comments regarding the short tunnel vs. the long tunnel stated that he is not prepared to recommend elimination of the short tunnel option because of insufficient information at this time. In Dana Point the tracks are adjacent to a 2-way highway and removal of the tracks would not improve beach access. Relative to the future desalinization plant, it seems there will be no "fatal flaws" but the Executive Director would be happy to meet with the City Manager and elected officials for further evaluation. Marblehead property impacts need further investigation and it is premature to eliminate the short tunnel concept based on current evaluation of potential impacts to that property. Executive Director Morshed recommended the Board approve the revised LOSSAN Screening Recommendations Report. Chairperson Diridon requested Warren Weber, Caltrans, Division of Rail, to comment on the LOSSAN Screening Recommendations Report. Mr. Weber stated it is consistent with the interests of Caltrans. Member Giroux moved to approve the LOSSAN Screening Recommendations Report, Vice Chairperson Epstein seconded the motion, which carried, 5-0 (Member Petrillo abstained).

Executive Director's Report

Executive Director Morshed reported that in January the Governor proposed the consolidation of the Authority and Caltrans. The Governor's May Revise of the 2003-2004 proposed state budget has eliminated the proposed consolidation. Therefore, the Authority will remain an independent agency, which reports directly to the Governor and the Legislature. The 2003-2004 proposed budget provides the Authority:

- Sufficient funding for staff operating expenses
- \$1.8 million for the completion of the environmental work
- \$1.2 million federal funding expenditure authorization

- \$320, 000 to be transferred to Caltrans for providing staff support to the Authority. The Legislative Analyst's Office reviewed this proposal and took issue with that amount, stating the amount should be \$186,000. The Senate and Assembly subcommittees acted to reduce the amount available to Caltrans to \$186,000 to provide staff support to the Authority and to approve the Governor's May Revision of the 2003-2004 proposed budget.

Executive Director Morshed reported that the Governor remains strongly supportive of the proposed high-speed rail project. The proposed consolidation came from the California Department of Finance (DOF) in the interest of saving money. However, once the Governor understood the proposed consolidation could have adverse impacts on the project, he reversed the proposed consolidation. Executive Director Morshed expressed gratitude to the Governor for his continued support.

Executive Director Morshed reported on personnel issues. He reminded the Board that the term limit for his position was only 6 months. Therefore, the Authority requested an extension of the term limit. The requested extension was approved for an additional 7 months. Therefore, the Board will have to take action on this issue again at the end of the year 2003.

Executive Director Morshed reported on the public outreach contract. The public outreach contract has expired and the Department of General Services (DGS) has approved a short extension of the current contract. Therefore, Townsend, Raimundo, Besler & Usher remains the Authority's public outreach consultants. However DGS directed the Authority to go through the Request For Proposal (RFP) process to hire a public outreach consultant. Therefore, the Board should review and approve an RFP for an outreach contract at the next Board meeting.

Executive Director Morshed reported that the 2003-2004 proposed budget includes funding for an implementation plan. Therefore, prior to December 1, 2003 the Board will have to review and approve an RFP to engage a team of experts to help the Authority draft an implementation plan.

Executive Director Morshed reported that he has been meeting with Renfe (Spanish Rail Operator) regarding the implementation of the Madrid-Barcelona line. Dr. Del Rio of Renfe stated they expect the line to be inaugurated in the summer, 2003 and would like to invite the Authority to Spain to see the new infrastructure, and experience the quality of the new high-speed trains in the fall, 2003.

Executive Director Morshed reported that the Metropolitan Transportation Commission (MTC) was asked to request the Authority to reopen the issue of Altamont Pass. The MTC Planning Committee held a meeting and had a long discussion on the Altamont Pass. Executive Director Morshed reported that he attended this meeting and explained to the Planning Committee the reasons the Authority acted in cooperation with MTC to eliminate the Altamont Pass from further investigation. The Planning Committee will bring this to the MTC Commission Meeting on May 28, 2003 and Member Petrillo and Executive Director Morshed will attend.

The Board discussed next month's agenda items.

Overview of Draft Environment Impact Report/Environmental Impact Statement (EIR/EIS)

Executive Director Morshed gave an overview of the elements and proposed schedule and procedure for the draft EIR/EIS document release. The draft document will be released in August, 2003 and will not include recommendations for high-speed train design options. The draft EIR/EIS will include a preferred system alternative, (no-build, high-speed train system or modal alternative).

Christine Sproul, Attorney General's Office referred to her confidential letter to the Board discussing the option to delegate authority to issue the draft EIR/EIS document to the Executive Director. She reported the partnership that the Authority has with the Federal Railroad Administration (FRA) is described in a Memorandum of Understanding (MOU). That MOU indicates that both entities desire to work cooperatively to produce an environmental documents which are timely, cost effective, and to do so as efficiently as possible and to develop a document for public review as quickly as possible. The MOU also anticipates the draft EIR/EIS will be jointly released as a document that is approved by the FRA and the Authority. She stated that the Authority may want to consider delegating authority to issue the draft document to the executive officer in order to comply with Federal NEPA requirements and the State CEQA requirements.

As a legislative body which directs the Authority's work, the Authority's business decisions are made in the course of public meetings, but the Board is able to delegate some responsibilities to the Executive Director and staff. Under the Environmental Quality Act, staff can be delegated authority to issue and prepare draft documents. Staff cannot be delegated authority to approve the final EIR. In this instance it would help to avoid confusion to the public and duplication of documents to have one draft document approved by both entities to be released at one time for public comment.

The alternative would be for the Board to consider the release of a recommended draft document by itself but this would result in a potential for multiple drafts, public confusion and an extended time period before a joint document, approved by both agencies, could be provided for public review.

Ms. Sproul referred to a draft motion to delegate to the Executive Director the authority to issue the draft EIR/EIS document. Vice-Chair Epstein asked if this motion would allow the Executive Director to make decisions to identify preferred corridor alignments and station locations. Ms. Sproul reported that technically, if passed, this motion would allow the Executive Director to make decisions on the preferred corridor alignments and station locations. However, a clause stating the Executive Director is not to include identification of preferred corridor alignments and station locations in the draft document could be added to the motion. Vice-Chair Epstein requested the motion be revised accordingly. The revised motion that reads as follows was approved by consent, 7-0:

Move to delegate to the Executive Director the authority to carry out all responsibilities which may be delegated under the provisions of CEQA and the State CEQA Guidelines Section 15025(a), including but not limited to taking all actions necessary to cause the preparation of environmental documents and to ensure the Authority's compliance with CEQA; *provided however, that The Executive Director is not to include identification of preferred corridor alignments and station locations in the draft environmental document.* He/She shall have authority to issue notices, to prepare and forward to the FRA a draft environmental document, to work with FRA in preparing a draft environmental document to be issued on behalf of the Authority and the FRA for public review, to hold hearings to receive comments on environmental documents, to prepare final environmental documents for consideration by the Authority, and to work with the FRA in the preparation of a final document for NEPA compliance.

Public Comment

Gloria Cortez Keene, Merced County Board of Supervisor

Supervisor Cortez-Keene expressed her interest and support of the proposed high-speed rail project. She invited the Board and staff to meet with her and other elected officials in Merced County to discuss the proposed project. She requested the Authority have a Board meeting in Merced County in the near future. She also requested assistance in preparing an article for a local Merced newspaper.

Identification of Date and Location of Next Meeting

The next Authority Board meeting is scheduled on June 24, 2003 in Oakland, CA.

Meeting was adjourned at 11:30 a.m.